EXHIBIT 14

IN THE UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

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CARNEGIE INSTITUTION OF
WASHINGTON AND M7D CORPORATION,

Plaintiffs,

vs. CASE NO: 20-CV-189 (JSR)

PURE GROWN DIAMONDS, INC., and
IIA TECHNOLOGIES PTE. LTD. d/b/a
IIA TECHNOLOGIES,

Defendants.

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CARNEGIE INSTITUTION OF
WASHINGTON and M7D CORPORATION,

Plaintiffs,

vs. CASE NO: 20-CV-200 (JSR)

FENIX DIAMONDS, LLC,

Defendants.

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The video deposition of YOGESH K. VOHRA, Ph.D., taken remotely via Zoom videoconference with the witness located in Washington, DC, on July 31, 2020, commencing at approximately 10:00 a.m. ET

Reported by:

L. ALAN PEACOCK, RDR, CRC, CCR

JOB NO. 48951

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THE VIDEOGRAPHER: All right. And will the court reporter now please swear in the witness. 09:09:12

MR. AIRAN: There are more appearances. This is David Airan on from Leydig, Voit & Mayer on behalf of Fenix Diamonds, LLC, in the 200 case. And with me is Max Snow, also of Leydig Voit & Mayer, also representing Fenix Diamonds, LLC. 09:09:12

MR. MELLON: Although you can't see me, this is David Mellon, M-E-L-L-O-N, counsel for Dr. Vohra. 09:09:27

THE VIDEOGRAPHER: Okay. Now, will the court reporter please swear in the witness. 09:09:40

THE COURT REPORTER: My name is Alan Peacock with Henderson Legal Services. I am an Alabama Certified Court Reporter. My license number is AL013, and my license is available for inspection. 09:09:43

At this time, do all parties agree to waive any objection now or in the future to the reporter swearing in the witness remotely? 09:09:43

Please so indicate. 09:09:43

MR. LONG: No objection here. 09:09:43

MR. AIRAN: No objection on behalf of 09:09:43

Fenix.

THE COURT REPORTER: Thank you.

I would ask the witness to please raise your right hand and face the camera.

YOGESH K. VOHRA, PH.D.,

the witness, having been first duly sworn to speak the truth, the whole truth, and nothing but the truth, testified as follows:

EXAMINATION

BY MR. LONG:

Q. So let me first start, Dr. Vohra, by saying thank you for being here today. There are probably any number of things you would rather be doing today; so for what it's worth, we appreciate your time.

Is this your first deposition?

A. That's correct.

Q. Okay. So I just want to run through a few guidelines to make sure everything goes smoothly. I think that the court reporter has already mentioned it's best if we don't talk over one another so that the court reporter can take down our conversation and there's no cross talk. Is that okay?

A. That's fine.

Q. From time to time, I probably will ask a

degree of polycrystallinity mean? 02:23:08

A. I think this is a very general statement. What it really means is that you have some appearance of polycrystalline growth at the edges, which can be a machine or laser cut to remove. 02:23:20 02:23:23 02:23:32 02:23:34

Q. Okay. 02:23:42

A. I think that's what it really means. Because X-ray diffraction which is doing the rocking curve can also measure the polycrystalline diffraction pattern. And if you get your single, that means you have some polycrystallinity in the sample. 02:23:43 02:23:48 02:23:53 02:23:54 02:23:57 02:24:01

Q. Okay. Makes sense. Now, we can go to Exhibit 10, which is that Dr. Yan paper you brought up earlier. 02:24:06 02:24:09 02:24:15

Do you see the portion I highlighted here? 02:24:45

A. Yes. 02:24:55

Q. Can you explain what that's referring to? 02:24:57

A. I'll have to look at these Reference 9 and 13. 02:25:37 02:25:40

Q. I don't know if they're Attached as exhibits, 9 and 13. No, they're not. But that's okay. If you don't remember that's okay. 02:25:47 02:25:50 02:25:58

A. The other thing is that 9 and 13, I really cannot say what are the indications of this. 02:26:00 02:26:03

Q. Okay. What do you think would happen, though -- if you're able to answer this without looking at these references -- what would you expect to happen if plasma concentrated at tips and edges? 02:26:09 02:26:15 02:26:17 02:26:21

A. Well, if we have a plasma concentration at tips and edges, you get graphite growth at those edges. 02:26:32 02:26:37 02:26:41

Q. Would that mean that the tips and edges would be much hotter than the center? 02:26:42 02:26:44

A. Yes. 02:26:47

Q. Okay. And by "much hotter," much hotter than 20 degrees Celsius? 02:26:50 02:26:53

A. If you have graphite nucleation at the edges, you will get a lot of temperature range. 02:26:58 02:27:01

Q. Larger than 20 degrees Celsius? 02:27:06

A. Oh, yes. 02:27:09

Q. Is that what you're saying? 02:27:09

A. Yes. 02:27:11

Q. Okay. So now here I want to go to Fig. 1. And I know this isn't -- are you familiar with this picture? 02:27:12 02:27:20 02:27:29

A. Yes. 02:27:30

Q. Okay. So it's kind of a blurry picture. And I was hoping you could explain what is being shown on the right side and on the bottom. And, 02:27:33 02:27:41 02:27:44

here, let me show you the caption first. The caption is right here. 02:27:52 02:27:56

A. Yes. So basically it is a commercial yellow diamond plate on the left. And we put it in the plasma CVD reactor. And then it is enlarged after the growth experiment. And the insert was at the bottom is showing that you are beginning to form some kind of a (111) edge. 02:28:02 02:28:06 02:28:11 02:28:18 02:28:22 02:28:26

So you start out with sharp phases, six phases of (100) diamond. And after the growth, you are beginning to see some formation of (111) diamond plate. 02:28:31 02:28:33 02:28:40 02:28:45

Q. So are you referring to that little thing that that I -- 02:28:47 02:28:49

A. Yeah. 02:28:50

Q. So is that kind of like a lump on the corner? 02:28:51 02:28:55

A. Yes. So I think that the main point of showing this is that, even though you start with a cube, after the growth experiment, it's going to become what is known as octahedron shaped, the diamond. And you have (100) and (111) phases. So basically it's showing the early signs of, you know, an octahedron shape. 02:28:56 02:28:59 02:29:01 02:29:06 02:29:11 02:29:16 02:29:19

Q. Okay. So let me -- I can't show you these 02:29:24

holder? 02:46:54

A. Yeah. That's what it would imply. 02:46:58

Q. Okay. Sure. Now, I want to go to -- oh, let me ask you a question. Is there a difference in surface morphology between single-crystal diamond and polycrystalline diamond? 02:47:03 02:47:22 02:47:25 02:47:29

A. Yes. 02:47:36

Q. Okay. So now I'm going to go to the same document. I'm going to go to Paragraph 152. It talks about temperature gradient and heat-sinking holder. 02:47:40 02:47:45 02:47:57 02:48:08

Do you see that? 02:48:15

A. Yes. 02:48:16

Q. Okay. Now, it lists a few temperature gradients across the growth surface. It says less than 100, less than 50, 40, 30, 20, 10. 02:48:22 02:48:24 02:48:27

A. Yes. 02:48:34

Q. Okay. What would a diamond with a temperature gradient across the growth surface of 100 degrees Celsius look like compared to one with 10 degrees Celsius? 02:48:38 02:48:44 02:48:47 02:48:54

A. I really don't recall those details. 02:49:00

Q. Okay. So do you remember if you grew a diamond with a temperature gradient of 100 degrees Celsius? 02:49:07 02:49:12 02:49:16

A. I don't remember those details. 02:49:17

Q. So I just want to go back to -- so this sentence here: "This results in samples with a widely varied surface morphology indicating an uneven thermal gradient across the surface." 02:49:27 02:49:38 02:49:42 02:49:44

So if you had a diamond that had kind of a large crystal in the center and polycrystalline diamond on the sides, would that indicate a widely varied surface morphology? 02:49:49 02:49:56 02:50:00 02:50:05

A. Not necessarily. Because you could have the center portion small with (100) growth, and then on the edges, you may have -- so your surface morphology in the center may be very small, but you still have polycrystalline on the outside. 02:50:15 02:50:17 02:50:23 02:50:27 02:50:29

Q. What about the transition region between the single-crystal in the center and the polycrystal on the side? 02:50:35 02:50:38 02:50:43

A. That would be a case of a different morphology. 02:50:51 02:50:55

Q. So that would be a case of different surface morphologies? Is that what you said? 02:50:56 02:50:58

A. Yes. That's correct. 02:51:01

Q. Okay. Great. So let's say you want -- going back to Paragraph 152, but let's say you wanted to achieve a temperature gradient across the 02:51:02 02:51:20 02:51:23

growth surface of less than 20 degrees or 10 degrees or even -- let's say less than 30 degrees. What do you think you would require in order to accomplish that? 02:51:28 02:51:31 02:51:43 02:51:46

A. I think it would be the substrate holder design. 02:51:58 02:52:01

Q. The one that contacts the diamonds on their sides? 02:52:03 02:52:05

A. Correct. Yes. 02:52:06

(DEPOSITION EXHIBIT 103 WAS MARKED FOR IDENTIFICATION.) 02:52:06 02:52:06

BY MR. SNOW: 02:52:08

Q. Okay. So now I want to go Exhibit 103. 02:52:08

Dr. Vohra, is this -- are you an author of this paper? 02:52:37 02:52:40

A. Yes, I am. 02:52:42

Q. Okay. And is Chih-shiue Yan, is he a co-inventor of the 078 patent? 02:52:45 02:52:51

A. Yes, he is. 02:52:56

Q. And did you write this paper together? 02:52:58

A. Yes, we did. 02:53:02

Q. Okay. So let's go down. And I know you have kind of seen maybe a little bit lower-quality versions of these pictures earlier today because I think that some of these were in the Yan 02:53:06 02:53:13 02:53:18 02:53:21

dissertation. But I wanted to talk about some of these pictures, if that's okay with you. 02:53:27 02:53:29

A. Okay. 02:53:32

Q. So, first, I want us to look at this diamond, DRUK1. 02:53:38 02:53:46

A. Okay. 02:53:48

Q. So is this area in the center all one big crystal? 02:53:50 02:54:02

A. It is. 02:54:03

Q. Okay. What's the black stuff around the edges? 02:54:05 02:54:09

A. Most likely some graphite nucleation. 02:54:13

Q. Okay. Is this -- in your experience, is this kind of a pretty good surface morphology or a poor one? 02:54:18 02:54:29 02:54:35

A. I would say if you go up, DRUK2, that's a better one. 02:54:37 02:54:41

Q. This one? 02:54:46

A. Yes. Because you can see, you are beginning to develop -- remember, this is a circular plate, so you have the upper edges which are (100) surface on the side. So this one has a much better morphology than the other one. 02:54:46 02:54:49 02:54:53 02:54:57 02:55:03

Q. Okay. 02:55:05

A. So out all of these pictures, this is the 02:55:06